



DAN WALKER  
MAYOR

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CITY OF  
TORRANCE

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OCT 15 2004

FCC - MAILROOM

October 4, 2004

The Honorable Michael Powell  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington D.C. 20554

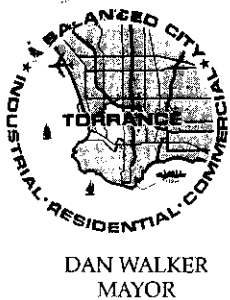
Re: **Review of the Emergency Alert System, EB Docket No. 04-296**

Dear Chairman Powell:

Municipalities need a means to alert their residents about local emergencies such as local severe weather conditions, unexpected road closings, local toxic waste spills, gas main leaks or water system problems. As a result, for decades municipalities have required local emergency alert systems in their cable franchises. Torrance has an "Emergency Override System" (EOS) in place with Time Warner Cable. This System allows Torrance to communicate directly with our residents, without going through third parties and without alerting other communities. Such local alerts are not appropriate for and are not carried by the more recent regionally oriented Federal Emergency Alert System (EAS), which typically serves several counties. The EAS is managed by the Los Angeles County Sheriff. The Torrance EOS is also used as a backup in case the Federal EAS does not work. In the past, the FCC has strongly supported cable television local emergency alert systems against attempts to preempt them.

The City of Torrance is concerned that your current rulemaking on EAS's doesn't acknowledge cable local emergency alert systems and seems inclined to preempt them, despite the FCC's past support. The FCC does not have the power to preempt the local cable television alert system because they are provided for in cable franchises, and Congress didn't give you the authority to preempt them. We are also concerned that the new Federally governed national alert system proposed in the rulemaking does not take municipalities into account or their need to have direct, effective, immediate means for alerts targeted to their residents.

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